

# United States Bankruptcy Court

## Western District of Wisconsin

# Voluntary Petition

Name of Debtor (if individual, enter Last, First, Middle): Utgaard, Stuart B.	Name of Joint Debtor (Spouse) (Last, First, Middle): Utgaard, Kimberly J.
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-9063	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) xxx-xx-9508
Street Address of Debtor (No. and Street, City, and State): 217 W. 1st Street Star Prairie, WI ZIP Code 54026	Street Address of Joint Debtor (No. and Street, City, and State): 217 W. 1st Street Star Prairie, WI ZIP Code 54026
County of Residence or of the Principal Place of Business: St. Croix	County of Residence or of the Principal Place of Business: St. Croix
Mailing Address of Debtor (if different from street address): P.O. Box 10 Star Prairie, WI ZIP Code 54026	Mailing Address of Joint Debtor (if different from street address): P.O. Box 10 Star Prairie, WI ZIP Code 54026

Location of Principal Assets of Business Debtor  
(if different from street address above):

<b>Type of Debtor</b> (Form of Organization) (Check one box)  <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.)	<b>Nature of Business</b> (Check one box)  <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input type="checkbox"/> Other  <b>Tax-Exempt Entity</b> (Check box, if applicable) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box)</b>  <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13  <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding  <b>Nature of Debts</b> (Check one box)  <input checked="" type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose." <input type="checkbox"/> Debts are primarily business debts.
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<b>Filing Fee (Check one box)</b>  <input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  <input type="checkbox"/> Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.	<b>Chapter 11 Debtors</b> Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.  Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
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<b>Statistical/Administrative Information</b> <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.  <b>Estimated Number of Creditors</b> <input type="checkbox"/> 1-49 <input checked="" type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> OVER 100,000  <b>Estimated Assets</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input checked="" type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion  <b>Estimated Liabilities</b> <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input checked="" type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion	<b>THIS SPACE IS FOR COURT USE ONLY</b>
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**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):  
 Utgaard, Stuart B.  
 Utgaard, Kimberly J.

**All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet)**

Location  
 Where Filed: - None -

Case Number:

Date Filed:

Location  
 Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)**

Name of Debtor:  
 Sportsman's Warehouse, Inc.

Case Number:  
 09-10990

Date Filed:  
 3/21/09

District:  
 Delaware

Relationship:  
 Shareholders

Judge:  
 Christopher Sontchi

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).

**X** \_\_\_\_\_  
 Signature of Attorney for Debtor(s) (Date)

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

- ☐ Yes, and Exhibit C is attached and made a part of this petition.  
☒ No.

**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☒ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☒ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.

**Information Regarding the Debtor - Venue**

(Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.  
☒ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.  
☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.

**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes)

- ☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

\_\_\_\_\_  
 (Name of landlord that obtained judgment)

\_\_\_\_\_  
 (Address of landlord)

- ☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and  
☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.  
☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

Utgaard, Stuart B.

Utgaard, Kimberly J.

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X Stuart B. Utgaard

Signature of Debtor Stuart B. Utgaard

X Kimberly J. Utgaard

Signature of Joint Debtor Kimberly J. Utgaard

Telephone Number (If not represented by attorney)

Date

**Signature of Attorney\***X James D. Sweet

Signature of Attorney for Debtor(s)

James D. Sweet

Printed Name of Attorney for Debtor(s)

Murphy Desmond S.C.

Firm Name

33 East Main Street, Suite 500P.O. Box 2038Madison, WI 53701-2038

Address

(608) 257-7181

Telephone Number

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X \_\_\_\_\_

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.

☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X \_\_\_\_\_

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X \_\_\_\_\_

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

United States Trustee's Office  
780 Regent Street Suite 304A  
Madison, WI 53715

Internal Revenue Service  
Insolvency Unit  
PO Box 21126  
Philadelphia, PA 19114

Wisconsin Department of Revenue  
Special Procedures Unit  
PO Box 8901  
Madison, WI 53708-8901

402 N. Cove, LLC  
c/o Scott Nielsen  
1371 S. Vintage Oak Lane  
Salt Lake City, UT 84121

American Bank  
1578 University Ave.  
Saint Paul, MN 55104

Anchor Bank  
P.O. Box 7933  
Madison, WI 53707

Bank of America  
P.O. Box 15019  
Wilmington, DE 19850-5019

Black Helterline LLP  
805 SW Broadway  
Suite 1900  
Portland, OR 97205-3359

Bremer Bank  
formerly Northwest Savings Bank)  
532 S. Knowles Avenue  
New Richmond, WI 54017

Bremer Bank  
532 S. Knowles Avenue  
New Richmond, WI 54017

Bridgeview Bank  
4222 E. Camelback Rd.  
Phoenix, AZ 85018

Bryan Cave LLP  
Attn: Attorney Michelle McMahon  
1290 Avenue of the Americas  
New York, NY 10104-3300

Chase  
P.O. Box 94014  
Palatine, IL 60094

City of New Richmond Treasurer  
156 E. First Street  
New Richmond, WI 54017

Columbia Sportswear

14375 NW Science Park Drive  
Portland, OR 97229

First American Bank  
12333 University Ave.  
Clive, IA 50325

First Horizon  
400 Horizon Way  
Irving, TX 75063

Hawkins Companies  
855 Broad Street, Ste. 300  
Boise, ID 83702

Liberty Plumbing & Heating, Inc.  
198 West 4860 South  
Salt Lake City, UT 84107

Lindquist & Vennum  
4200 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402-2274

Marshall Bank First  
225 S. 6th St, Suite 2900  
Minneapolis, MN 55402

McGillis Investment Co.  
3038 South 1030 West  
Salt Lake City, UT 84119

Murnane Brandt  
Attn: Attorney John E. Brandt  
30 East 7th Street, Suite 3200  
Saint Paul, MN 55101-4919

New Balance  
Brighton Landing 20 Guest Street  
Brighton, MA 02135

New Richmond Regional Airport  
156 East First Street  
New Richmond, WI 54017

North Star Bank  
4661 Hwy 61  
White Bear Lake, MN 55110

Perkins Coie, LLP  
c/o Attorney Thomas R. Johnson  
1120 NW Couch Street, 10th Floor  
Portland, OR 97209-4128

Protection One  
P.O. Box 5714  
Carol Stream, IL 60197-5714

Pure Fishing  
1900 18th Street  
Spirit Lake, IA 51360

Rocky Mountain Power

P.O. Box 25308  
Salt Lake City, UT 84125

Salt Lake City Corporation  
Public Utilities  
P.O. Box 30881  
Salt Lake City, UT 84130-0881

Salt Lake County Treasurer  
P.O. Box 410418  
Salt Lake City, UT 84141-0418

Small Business Admin.  
MN Business Financing Corp.  
4191 2nd Street South  
Saint Cloud, MN 56301

Sportsman's Aviation, LLC  
215 West 1st Street  
Star Prairie, WI 54026-0010

Sportsman's Warehouse, Inc.  
7035 South High Tech Drive  
Midvale, UT 84047

Stearns Bank  
4191 2nd Street South  
Saint Cloud, MN 56301

Target  
P.O. Box 59317  
Minneapolis, MN 55459-0317

The Hartford  
One Hartford Plaza  
Hartford, CT 06155

Thomas Glennon & Assoc.  
90 South 7th Street  
Minneapolis, MN 55402

US Bank  
P.O. Box 790408  
Saint Louis, MO 63179

Wasatch Tile & Marble  
7375 South State Street  
Midvale, UT 84047

Wells Fargo  
P.O. Box 14411  
Des Moines, IA 50306

Wells Fargo  
P.O. Box 54780  
Los Angeles, CA 90054

Westfields Hospital  
535 Hospital Road  
New Richmond, WI 54017-1449